

REMARKS

This application has been reviewed in light of the Office Action dated December 4, 2007. Claims 1-13, 15 and 17 are presented for examination. Claims 1, 2, 6, 9, 12 and 13, the independent claims, have been amended as to matters of form only. Claims 14 and 16 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

The specification has been amended to conform the Summary of Invention section to the amended claims.

Claims 1, 2, 4-9, 11-13 and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2004/0019671 (Metz). In addition, Claims 3 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Metz* in view of U.S. Patent 6,349,304 (Boldt et al.).

Independent Claim 1 is directed to a network device managing apparatus that comprises a storage unit that associates with each other, and stores, a device list indicating network devices located in a search with identification information that identifies a data processing apparatus which requested that search. A receiving unit receives a search request for a new search of network devices and identification information of a data processing apparatus initiating the search request from the data processing apparatus initiating the search request, and a searching unit performs the requested new search. An obtaining unit obtains from the storage unit the stored device list (if any) associated with the identification information received by the receiving unit, the obtained device list indicating a search result obtained in a search prior to the new search performed by the searching unit, and a comparing unit compares the search result

provided by the searching unit (from the new search) with the device list obtained from the storage unit. A forming unit specifies any network devices located in the new search but not present in the device list obtained from the storage unit, and forms a new device list in which such specified network devices are emphasized, and a transmitting unit transmits the new device list to the data processing apparatus that requested the new search.

The noted features of an apparatus according to Claim 1 make it easy for a user to tell which devices have been newly connected to a network, and enable the user to specify any devices that have been newly connected after the previous search requested by the user's data processing apparatus.

As a result, according to the present invention, it is possible to form the device list corresponding to the data processing apparatus which requested the search, whereby it is possible to specify the device newly connected after the previous search, for each of the data processing apparatus which request such search.

Metz relates to a network managing device that periodically performs printer discovery, and in the process acquires printer information such as an IP address and the like, and registers the printer information on a main list. This list is filtered to produce a second list according to criteria such as specific model types, locations, capabilities, and the like. *Metz* displays a newly discovered printing device in a manner that permits the viewer to discriminate that device easily from any other devices that may be displayed (608 shown in Fig. 6; paragraph [0040]), but this is not enough to meet the terms of Claim 1, and up to this point, in fact, the *Metz* system is simply representative of the prior art that formed the starting point for Applicant's invention.

More specifically, nothing in *Metz* teaches or suggests receiving identification information of a data processing apparatus from the data processing apparatus, as is done by the receiving unit in Claim 1. The main list in *Metz* includes all printers that have been discovered on the network, and nothing in *Metz* suggests that that list is in any fashion associated with any particular data processing apparatus. The storage unit of Claim 1, in contrast, associates identification of a particular data processing apparatus with the list, and moreover, the identification information in question is that of the particular data processing apparatus that requested the search that produced the list in question. Nothing has been found, or pointed out, in *Metz* that suggests that a list produced by a search is associated or stored with an identification of a particular data processing apparatus that requested the search.

Applicant also points to the obtaining unit of Claim 1, which obtains from the storage unit the stored list (if any) that is associated with identification information of the same data processing apparatus that has now requested a new search. Even if *Metz* is deemed to compare the results of the most recent search with those of an earlier search, any such comparison is apparently performed the same way, and produces the same result, regardless of which apparatuses requested the two searches. In an apparatus according to Claim 1, in contrast, the comparison is between the results of the new search, and the results obtained in a prior search that was also requested by the same apparatus.

Suppose that in *Metz*, a search is performed, and a list is displayed, where only a device A has been discovered. Subsequently, the periodical discovery process is performed, in the course of which another device, B, is discovered. In a later repetition of the periodical discovery, a device C is discovered. If the list is displayed at this time, it appears to applicant

that only device C is highlighted, as having been newly discovered in the most recent search. B, however, is not highlighted, because it was discovered before the discovery process in which device C was discovered. In this connection, a user who displays the list after the first search, when only device A has been discovered, and who now displays the current list, cannot tell from the newest list that device B has been newly discovered since the finding of device A, because the device B is not highlighted any more. Using the apparatus of Claim 1, in contrast, the same person sees a display based on a comparison of the most recent search requested by that user's device, with the previous search results requested by that user's device. If the search that first located device B was not requested by that user, then that search is not part of the comparison, and the list that is displayed to the user highlights both device B and device C, as both have been newly discovered since the last search requested by that user.

Applicant therefore does not agree with the Examiner's view indication (Response to Argument) that both the present invention and *Metz* resolve the same issue.

For all the foregoing reasons, Applicant submits that independent Claim 1 is allowable over *Metz*.

Independent Claim 2 is directed to an apparatus that is substantially the same as the invention as recited in independent Claim 1, except for the following point. In the apparatus of Claim 2, the forming unit specifies any network devices located in the new search whose state has been changed, rather than those that were not present in the previous search as in Claim 1.

Accordingly, the reasons discussed above apply also to Claim 2, and it is believed that Claim 2 also is allowable over *Metz*.

Independent Claims 6, 9, 12 and 13 are each either a method or a computer-readable medium claim corresponding to one or the other of apparatus Claims 1 and 2, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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